

## **REMARKS**

In view of the above amendments and the following remarks, reconsideration and further examination are respectfully requested.

### **I. Amendments to the Specification and Abstract**

The specification and abstract have been reviewed and revised to improve their English grammar. The amendments to the specification and abstract have been incorporated into a substitute specification and abstract. Attached are two versions of the substitute specification and abstract, a marked-up version showing the revisions, as well as a clean version. No new matter has been added.

### **II. Amendments to the Claims**

Claims 9, 11, 12 and 16 have been cancelled without prejudice or disclaimer of the subject matter contained therein.

Further, independent claims 1 and 13-15 have been amended to clarify features of the invention recited therein and to further distinguish the present invention from the references relied upon in the rejections discussed below.

It is also noted that claims 1-8, 10 and 13-15 have been amended to make a number of editorial revisions thereto. These editorial revisions have been made to place the claims in better U.S. form. Further, these editorial revisions have not been made to narrow the scope of protection of the claims, or to address issues related to patentability, and therefore, these amendments should not be construed as limiting the scope of equivalents of the claimed features offered by the Doctrine of Equivalents.

### **III. 35 U.S.C. §101 Rejection**

Claims 15 and 16 were rejected under 35 U.S.C. § 101 for failure to recite statutory subject matter. The rejection of claim 16 is considered moot based on the above-mentioned cancellation of claim 16. Further, it is respectfully submitted that this rejection is inapplicable to amended claim 15, because claim 15 now recites a computer-readable recording medium having a program recorded thereon, such that the program causes a content reproduction apparatus to execute a method, which is statutory subject matter. As a result, withdrawal of this rejection is respectfully requested.

### **IV. 35 U.S.C. § 112, First Paragraph Rejection**

Claims 1-16 were rejected under 35 U.S.C. § 112, first paragraph for failing to comply with the enablement requirement, by asserting that the claimed “index information” is not described in the specification in such a way as to enable one skilled in the art to make and/or use the invention. This rejection is respectfully traversed for the following reasons.

Applicants submit that the claimed “index information” is sufficiently described in the specification, at least, in the paragraph spanning pages 2 and 3, as well as the last paragraph on page 4. Furthermore, independent claims 1 and 13-15 have been amended to clarify the claimed “index information.” Briefly stated, claims 1 and 13-15 now recite that the “index information” identifies the device key stored in the secret information storage unit. This feature is also described in the specification, as mentioned above. Therefore, since the claimed “index information” is clearly defined in the specification and has been clarified in claims 1 and 13-15, it is respectfully submitted that this rejection is no longer applicable and should be withdrawn.

## **V. 35 U.S.C. § 103(a) Rejections**

Claims 1-3, 5-12 and 14-16 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Nakano et al. (U.S. 2003/081792). Further, claims 4 and 13 were rejected under 35 U.S.C. § 103(a) as being unpatentable over the combination of Nakano and Ishibashi (U.S. 2003/002155). These rejections are believed clearly inapplicable to amended independent claims 1 and 13-15 and the claims that depend therefrom for the following reasons.

Amended independent claim 1 recites a content reproduction apparatus which reproduces a digital content. Further, claim 1 recites that the content reproduction apparatus includes (1) an instruction receiving unit operable to receive, from outside of the content reproduction apparatus, an instruction for outputting the index information from the index information storage unit. In addition, claim 1 recites that the content reproduction apparatus includes (2) a video output unit operable to connect to a display apparatus that is distinct from the content reproduction apparatus. Furthermore, claim 1 recites that the content reproduction apparatus includes (3) a video processing unit operable to convert the index information stored in the index information storage unit into a data format that is displayable on a screen of the display apparatus. Moreover, claim 1 recites that the content reproduction apparatus includes (4) an index information output unit operable to output, via the video output unit, the index information converted by the video processing unit, the index information converted by the video processing unit being output to the display apparatus based on the instruction received by the instruction receiving unit.

Independent claim 13 recites a related system, independent claim 14 recites a related method, and independent claim 15 recites a related computer-readable recording medium having a program recorded thereon.

Applicants respectfully submit that Nonaka fails to disclose or suggest above-mentioned distinguishing features (1)-(4) as recited in independent claim 1, and further expressed in related independent claims 13-15.

Nonaka is directed to a key management apparatus 100 that includes a key information generation unit 107. More specifically, Nonaka teaches that the key information generation unit 107 encrypts a media key using a device key to generate an encrypted media key, and outputs the generated encrypted media key to a key information recording apparatus 200 (see paragraphs [0176]-[0179] and Fig. 2). In addition, Nonaka teaches that a recording apparatus 300 includes a key information storage unit 301 and a specification unit 303. The key information storage unit 301 stores ID information, a plurality of device keys, and device key identification that respectively identifies the plurality of the device keys. The specification unit 303 reads the ID information from the key information storage unit 301, and reads header information and key information from a recording medium 500.

Moreover, Nonaka teaches that the specification unit 300 specifies one encrypted media key included in the key information, using the read ID information and the read information, and specifies the device key identification that identifies the device key that is used for decrypting the one encrypted media key. In addition, according to Nonaka, the recording apparatus 300 also includes a decryption unit 302 that inputs from the specification unit 303 the one encrypted media key and the specified device key identification, reads from the key information storage unit 301 the device key identified by the specified device key identification, and decrypts the one encrypted media key using the read device key. Finally, Nonaka teaches that the recording apparatus 300 inputs the one media key from the decryption unit 302, reads a content from a

content storage unit 305, and encrypts the read content using the input one media key (see paragraphs [0191]-[0212] and Fig. 8).

Thus, in view of the above, it is clear that Nonaka merely teaches that the specification unit 303 of the recording apparatus 300 specifies the device key identification that identifies the device key that is used for decrypting the one encrypted media key, and outputs the device key identification to the decryption unit 302 of the recording apparatus, but fails to disclose or suggest the instruction receiving unit operable to receive, from outside of the content reproduction apparatus, an instruction for outputting the index information from the index information storage unit, as recited in claim 1.

In other words, Nonaka does not disclose that the recording apparatus receives, from outside of the recording apparatus, an instruction for outputting the device key identification from the key information storage unit. Rather, Nonaka teaches that information stored on the key information storage unit 301 is used to specify the device key identification that identifies a device key. Thus, Nonaka cannot be said to disclose or suggest that the an instruction receiving unit receives, from outside of the content reproduction apparatus, an instruction for outputting the index information from the index information storage unit, as recited in claim 1.

Additionally, Applicants note that Nonaka does not disclose or suggest a display apparatus that is distinct from the recording apparatus 300. Therefore, it is also apparent that Nonaka fails to disclose or suggest the video output unit that connects to a display apparatus that is distinct from the content reproduction apparatus, as required by claim 1, and fails to disclose or suggest the video processing unit that converts the index information stored in the index information storage unit into a data format that is displayable on a screen of the display.

apparatus that is distinct from the content reproduction apparatus, as recited in claim 1.

Moreover, for reasons similar to those discussed above, it is also evident that Nonaka also fails to disclose or suggest that the index information output unit outputs, via the video output unit, the index information converted by the video processing unit, the index information converted by the video processing unit being output to the display apparatus based on the instruction received by the instruction receiving unit, as required by claim 1.

Therefore, because of the above-mentioned distinctions it is believed clear that independent claims 1 and 13-15 and claims 2-8 and 10 that depend therefrom would not have been obvious or result from the disclosure of Nonaka.

According to the structure required by the limitations recited in claim 1, it is possible to obtain unpredictable results to (A) output, to the screen of the display apparatus, the index information that (i) indicates the device key stored in the content reproduction apparatus that cannot be accessed from outside the content reproduction apparatus and (ii) is stored in the content reproduction apparatus such that the index information can be accessed from outside of the content reproduction apparatus, as required by claim 1, and (B) verify, using the output index information, the device key that corresponds to the content reproduction apparatus. As a result, the personnel of the manufacturer of the content and a licensor of the device key can confirm whether or not the device key that corresponds to the content reproduction apparatus is revoked, even if the device key itself cannot be read from outside of the content reproduction apparatus.

In other words, in view of the above it is clear that Nonaka does not disclose or suggest that index information, that is accessible from outside the content reproduction apparatus, is output to the display apparatus, such that the index information indicates the device key stored in

the content reproduction apparatus that cannot be accessed from outside the content reproduction apparatus, as required by claim 1.

Therefore, Applicants submit that even if one attempted to modify Nonaka in the manner suggested by the Examiner, one would fail to arrive at the presently claimed invention, as such a modification would lack, at least, the above combination of the features of the present invention.

Accordingly, it is respectfully submitted that independent claims 1 and 13-15 and claims 2-8 and 10 that depend therefrom are clearly allowable over the prior art of record.

As a result, Applicants submit that Nonaka does not render the presently claimed invention obvious, and thus, respectfully request that this 35 U.S.C. § 103(a) rejection be withdrawn.

Regarding dependent claim 4 and independent claim 13, which were rejected under 35 U.S.C. § 103(a) as being unpatentable over Nakano in view of Ishibashi (secondary reference), it is respectfully submitted that this secondary reference do not disclose or suggest the above-discussed features of independent claims 1 and 13-15 which are lacking from the Nakano reference, as established above. Therefore, no obvious combination of Nakano with the secondary reference would result in, or otherwise render obvious, the invention recited independent claims 1 and 13-15 and claims 2-8 and 10 that depend therefrom.

## **VI. Conclusion**

In view of the above amendments and remarks, it is submitted that the present application is now in condition for allowance and an early notification thereof is earnestly requested. The Examiner is invited to contact the undersigned by telephone to resolve any remaining issues.

Respectfully submitted,

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